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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/762,006	02/01/2001	Thomas Hottkowitz	2923-123	6539	
6449	7590 08/19/2005	·	EXAMINER		
	L, FIGG, ERNST & MAN	STOCKTON, LAURA			
1425 K STRI SUITE 800	1425 K STREET, N.W. SUITE 800		ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20005			1626		
		DATE MAILED: 08/19/2005			

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)		
09/762,006	HOTTKOWITZ, THOMAS		
Examiner	Art Unit		
Laura L. Stockton, Ph.D.	1626		

Before the Filling of an Appeal Brief	Examiner	Art Unit	
•	Laura L. Stockton, Ph.D.	1626	
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED <u>05 August 2005</u> FAILS TO PLACE THIS A	PPLICATION IN CONDITION FOR	ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in c	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
 a) The period for reply expires 4 months from the mailing date 	e of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejecti	on.
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origing than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ce action; or (2) as
2. ☐ The Notice of Appeal was filed on A brief in comp	pliance with 37 CER 41 37 must be	filed within two month	ne of the date of
filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
AMENDMENTS			
 The proposed amendment(s) filed after a final rejection, (a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE below) 	nsideration and/or search (see NO ow);	TE below);	
(c) They are not deemed to place the application in be appeal; and/or			the issues for
(d) They present additional claims without canceling a NOTE: See Applicant's proposed changes to the			
4. The amendments are not in compliance with 37 CFR 1.1	21. See attached Notice of Non-Co		(PTOL-324).
5. Applicant's reply has overcome the following rejection(s)	·	Paral Classic and	
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 	•		J
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to:	☑ will not be entered, or b) ☐ wivided below or appended.	ll be entered and an e	explanation of
Claim(s) rejected: <u>1-13,15,33 and 43-45</u> .			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 	d sufficient reasons why the affidav	rit or other evidence is	s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under apper y and was not earlier presented. S	al and/or appellant fa ee 37 CFR 41.33(d)(ils to provide a 1).
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	ntry is below or attach	ned.
 The request for reconsideration has been considered bu See Continuation Sheet. 	ut does NOT place the application in	n condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	lo(s)	
13. Other:		Land.S	toll.
	`	Yours I Stockton	Dh. D

Laura L. Stockton, Ph.D. Primary Examiner
Art Unit: 1626

Continuation of 11. does NOT place the application in condition for allowance because: for reasons already of record in Paper No.0305 dated April 5, 2005, pages 2-7.